

FOLEY & LARDNER

ATTORNEYS AT LAW

FORMAL

11250 EL CAMINO REAL, SUITE 200

SAN DIEGO, CA 92130

P.O. BOX 80278

SAN DIEGO, CALIFORNIA 92138-0278

TELEPHONE: 858.847.6700

FACSIMILE: 858.792.6773

WWW.FOLEYLARDNER.COM

FAX RECEIVED

NOV 05 2002

GROUP 1600**FACSIMILE TRANSMISSION****Total # of Pages 2 (including this page)**

TO:	PHONE #:	FAX #:
Examiner K. Lacourciere USPTO		(703) 308-4242

OFFICIAL**From :** Richard San Pietro**Email Address :** rsanpietro@foleylaw.com**Sender's Direct Dial :** 858.847.6717**Date :** November 4, 2002**Application No.:** 09/557,796**Application Filing
Date:** April 25, 2000**Client/Matter No :** 037002-0205**User ID No :** 0079**MESSAGE:**

Transmitted herewith for filing in the above application is a Response To Restriction Requirement.

PLEASE CONFIRM RECEIPT VIA FACSIMILE. THANK YOU.

If there are any problems with this transmission or if you have not received all of the pages, please call .

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

RECEIVED
NOV 05 2002
TECH CENTER 1600/2900

Atty. Dkt. No. 037002-0205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hoch & Dartois
Title: METABOLIC SELECTION
METHODS
Appl. No.: 09/557,796
Filing Date: April 25, 2000
Examiner: K. Lacourciere
Art Unit: 1635

<p>CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C., 703-308-4242 on the date below.</p> <p><u>LIVE GAUTHIER</u> (Printed Name)</p> <p><u><i>Pine Gauthier</i></u> (Signature)</p> <p><u>11/04/2002</u> (Date of Deposit)</p>
--

#19/R.T.
11/5
ELECT.**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231

Sir:

In response to the restriction requirement mailed October 3, 2002, Applicant hereby provisionally elects Group I, Claims 99-109, for examination, without traverse.

Respectfully submitted,

Date: Nov. 4, 2002By *Richard San Pietro*

FOLEY & LARDNER
P.O. Box 80278
San Diego, CA 92138-0278

Richard San Pietro
Attorney for Applicant
Registration No. 45,071

Telephone: (858) 847-6700
Facsimile: (858) 792-6773